

Information Sheet: VA Disability Compensation Benefits

Oklahoma National Guard

What Is VA Disability Compensation?

Disability compensation is a monetary benefit paid to veterans who are disabled by injury or disease incurred or aggravated during active military service. The service of the veteran must have been terminated through separation or discharge under conditions other than dishonorable. Disability compensation varies with the degree of disability and the number of dependents, and is paid monthly. The benefits are not subject to federal or state income tax. There is no time limit to apply for VA disability compensation.

Am I eligible as a National Guard Member?

National Guard members who were called to Active Duty (Title 10) by federal executive order and completed the term for which they were called and who were granted an other than dishonorable discharge are eligible for the same VA benefits as any other veteran, including those for dependents and survivors.

Returning National Guard members who served on active duty in a theater of combat operations have special eligibility for hospital care, medical services, and nursing home care for two years following discharge from active duty.

How Much Does VA Pay?

The amount of basic benefit paid (for a Veteran living alone) ranges from \$112 to \$2,393 per month, depending on how disabled you are. Keep in mind these payments are tax free.

Note: *You may be paid additional amounts, in certain instances, if:*

- you have very severe disabilities or loss of limb(s)
- you have a spouse, child(ren), or dependent parent(s)
- you have a seriously disabled spouse

As a current member of the National Guard can I file a claim for service connected disability?

Yes. You may file a claim if you are disabled because of an injury or disease incurred in or was aggravated during your military service.

I am a National Guard member receiving a monthly payment from the VA for disability compensation. I have recently received orders to deploy. Should I waive my VA Compensation?

The Defense Manpower Data Center and the VA utilizing Social Security Numbers are in the process of identifying Guardsman who are reported as receiving concurrent payments of military pay and veteran benefits.

Guard Members are reminded that by provision of law they cannot legally be paid concurrently with VA disability compensation or pension benefits. (10 U.S.C. 12316 and 38 U.S.C. 5304©. In most instances, it will be to their advantage to waive VA benefits and keep their active duty pay.

How do I waive my VA Compensation during deployment?

Contact the VA at 1-800-827-1000 prior to your deployment. A VA representative can assist veterans in completing VA FORM 21-4138 (STATEMENT IN SUPPORT OF CLAIM) to avoid concurrent payments.

What is meant by service connected?

Service connection for a disability or death is established through many ways. The four most common are:

1. Disability or death was incurred in military service. 38 CFR §§3.303, 3.304
2. Aggravation of a before service disability during service. 38 CFR §3.306
3. Presumption that the disease or disability was incurred in military service. 38 CFR §§3.307, 3.308, 3.309
4. Because of a service-connected disability, a secondary condition has occurred. 38 CFR §3.310

Service connection of a disease or disability is necessary before disability compensation can be paid.

How Can You Apply?

You can apply by filling out VA Form 21-526, Veterans Application for Compensation Or Pension. ***If you have any of the following material, attach it to your application:***

- Dependency records (marriage & children's birth certificates)
- Medical evidence (doctor & hospital reports)

VA benefits are not automatic; veterans must apply.

It is strongly recommended that you seek the assistance of a VA Benefits Counselor or a Veterans Service Organization (VSO) before attempting to file or pursue your claim.

You may choose any of the following methods for assistance with filing a VA claim:

- call 1-800-827-1000 to locate a facility nearest you;
- visit the official website at www.va.gov ;
- visit with a VA Service Representative in the field Office in Oklahoma City located at:
Federal Building, 301 N.W. 6th Street Suite 113, Oklahoma City, OK 73102
(This is a walk-in facility only – First come first serve basis)

There are many Veterans Service Organizations (VSOs) at the National, State, and local levels. Aside from their fraternal aspects, many offer assistance to veterans with disabilities and their families who are attempting to receive benefits or become employed.

Some of the more well-known Veterans Service Organizations are as follows: AMVETS, Blinded Veterans Association (BVA) Disabled American Veterans (DAV) Military Order of the Purple Heart (MOPH) Paralyzed Veterans Of America (PVA) The American Legion, U.S. VETS, Veterans of Foreign Wars (VFW) and Vietnam Veterans of America (VVA)

Related Benefits (under certain conditions)

Priority Medical Care
Clothing Allowance
Grants for Specially Adapted Housing
Federal Employment Preference
Military Exchange & Commissary Privileges

Vocational Rehabilitation
Service-Disabled Veterans Insurance
Automobile Grant & Adaptive Equipment
State/Local Veterans Benefits
Education benefits for spouse and children

If I can be of any assistance during your mobilization and deployment please feel free to contact me.

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